

REMARKS



The purpose of the present amendment is explained at the start of this amendment on pages 1 and 2. A STATEMENT OF STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES 37 CFR 1.73(c) is ATTACHMENT 1 herewith.

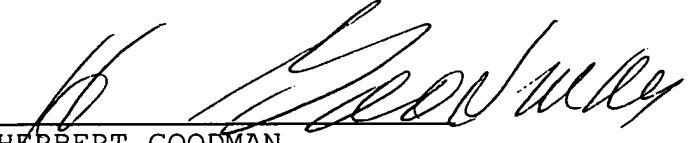
The March 18, 2002 Advisory Action identified claims 16-24 and 44-79 as "Claims objected to". It is respectfully submitted that the reasons for objection to said claims have been removed and that said claims are allowable. Claims 30-38 were not rejected under §102 or §103 in the Office Action of April 20, 2001 or in any subsequent Office Action. In the absence of objections to these claims, it is respectfully submitted that these claims should also be identified as allowable claims. It is further respectfully submitted that in view of the amendments and discussion in the AMENDMENT UNDER 37 CFR 1.116 filed February 27, 2002 which was not entered but which is a submission with the present RCE, that all of the pending claims are allowable.

A Form PTO/SB/56 entitled REISSUE APPLICATION FEE TRANSMITTAL FORM is enclosed. It shows that there are no changes in the total number of claims and in the number of independent claims based on the present amendment when compared with the AMENDMENT filed February 27, 2002.

A SUBMITTAL OF ORIGINAL PATENT NO. 5,908,858 (37 CFR 1.178(a)) is being filed together with the RCE.

Applicants' statements set forth in said AMENDMENT filed February 27, 2002 and the STATEMENT OF STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES 37 CFR 1.173(c) attached hereto are incorporated herein by this reference.

Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081

Frishauf, Holtz, Goodman,
Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, NY 10017-2023
Telephone: (212) 319-4900
Facsimile: (212) 319-5101

HG/fs
Enclosures:

ATTACHMENT 1
REISSUE APPLICATION FEE TRANSMITTAL FORM (Form PTO/SB/56)

ATTACHMENT 1

Attorney Docket No. 970113R/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

First named
Applicant : Kimura

Serial No. : 09/678,218

Filed : September 29, 2000

Art Unit : 1626

Examiner : L. Stockton

**STATEMENT OF STATUS OF CLAIMS AND
SUPPORT FOR CLAIM CHANGES 37 CFR 1.173(c)**

Commissioner for Patents
BOX RCE
Washington, D.C. 20231

S I R :

The reasons for the change in the status of claims 44-52 and claims 71-79 is explained at the beginning of the AMENDMENT FILED CONCOMITANT WITH RCE. As noted, the changes in the presentation of these claims is that they are now identified as "Amended", whereas they were inappropriately identified as "New" in the AMENDMENT filed February 27, 2002. This statement is also based on the consideration that said AMENDMENT filed February 27, 2002 will be entered and considered as an amendment preceding the present amendment.

Claim 1 (cancelled).

Claim 2 (cancelled).

Claim 3 (cancelled).

Claim 4 (cancelled).

Claim 5 (cancelled).

Claim 6 (cancelled).

Claim 7 (cancelled).

Claim 8 (cancelled).

Claim 9 (cancelled).

Claim 10 (cancelled).

Claim 11 (cancelled).

Claim 12 (cancelled).

Claim 13 (pending) - no change.

Claim 14 (pending) - no change.

Claim 15 (pending) - no change.

Claim 16 (pending) - no change.

Claim 17 (pending) - no change.

Claim 18 (pending) - no change.

Claim 19 (pending) - no change.

Claim 20 (pending) - no change.

Claim 21 (pending) - no change.

Claim 22 (pending) - no change.

Claim 23 (pending) - no change.

Claim 24 (pending) - no change.

Claim 25 (cancelled).

Claim 26 (cancelled).

Claim 27 (cancelled).

Claim 28 (pending) - no change.

Claim 29 (pending) - no change.

Claim 30 (cancelled).

Claim 31 (pending) - no change.

Claim 32 (pending) - no change.

Claim 33 (pending) - no change.

Claim 34 (cancelled).

Claim 35 (pending) - no change.

Claim 36 (pending) - no change.

Claim 37 (pending) - no change.

Claim 38 (cancelled).

Claim 39 (cancelled).

Claim 40 (pending) - no change.

Claim 41 (pending) - no change.

Claim 42 (cancelled).

Claim 43 (pending) - no change.

Claims 44-52 (pending; amended): Each of these claims has been amended by changing the dependency from claim 27 (which was cancelled) to claim 28. Since claims 27 and 28 recite identical method steps and since each of claims 44-52 is directed to a species claim, the change in dependency did not change the substantive scope of each of claims 44-52. Support for each of claims 44-52 is explained on pages 10 and 11 of the STATEMENT OF STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES 37 CFR 1.173(c) filed February 27, 2002 which is incorporated herein by this reference.

Claim 53 (pending) - no change.

Claim 54 (pending) - no change.

Claim 55 (pending) - no change.

Claim 56 (pending) - no change.

Claim 57 (pending) - no change.

Claim 58 (pending) - no change.

Claim 59 (pending) - no change.

Claim 60 (pending) - no change.

Claim 61 (pending) - no change.

Claim 62 (pending) - no change.

Claim 63 (pending) - no change.

Claim 64 (pending) - no change.

Claim 65 (pending) - no change.

Claim 66 (pending) - no change.

Claim 67 (pending) - no change.

Claim 68 (pending) - no change.

Claim 69 (pending) - no change.

Claim 70 (pending) - no change.

Claims 71-79 (pending; amended): Each of these claims has been amended by changing the dependency from claim 39 (which was cancelled) to claim 40. Since claims 39 and 40 recite identical method steps and since each of claims 71-79 is directed to a species claim, the change in dependency did not change the substantive scope of each of claims 71-79. Support for each of claims 71-79 is explained on page 11 of the STATEMENT OF STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES 37 CFR 1.173(c) filed February 27, 2002 which is incorporated herein by this reference.

Claim 80 (pending) - no change.

Claim 81 (pending) - no change.

Claim 82 (pending) - no change.


Claim 83 (pending) - no change.

Claim 84 (pending) - no change.

Claim 85 (pending) - no change.

Claim 86 (pending) - no change.

Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081

Date: March 27, 2002